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8           **Attorneys for Defendants**  
9           **LAS VEGAS METROPOLITAN**  
10          **POLICE DEPARTMENT and**  
11          **DETECTIVE TRACY SMITH**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

14 VICTOR VILLALTA, ) Case No.: 2:16-cv-01714-JAD-GWF  
15 Plaintiff, )  
16 vs. )  
17 LAS VEGAS METROPOLITAN POLICE ) JOINT STATUS REPORT  
18 DEPARTMENT, a political subdivision of )  
19 the State of Nevada; DETECTIVE TRACY )  
20 SMITH P# 5267; DOE DEFENDANTS 1 )  
21 through 25, individually; DOE OFFICERS )  
1 through 25, individually; and ROE )  
ENTITIES 1 through 25, inclusive, )  
Defendants.

Pursuant to the Court's directive, the parties hereto respectfully submit the following as their Joint Status Report in this matter.

## **1. STATUS OF PROCEEDINGS:**

Plaintiff filed his original Complaint in this action on June 16, 2016 in the Eighth Judicial District Court of the State of Nevada as Case No. A-16-738600-C. The LVMPD Defendants were served with a copy of the Summons and Complaint on June 30, 2016.

1           On July 20, 2016, the LVMPD Defendants filed a Petition for Removal, transferring Case  
2 No. A-16-738600-C to the United States District Court, for the Southern District of Nevada, as  
3 Case No.: 2:16-cv-01714-JAD-GWF.

4           On June 26, 2017, LVMPD and Tracy Smith each filed a Motion for Summary Judgment  
5 in this case.

6           On July 14, 2017, Plaintiff and the LVMPD Defendants stipulated (and the Court  
7 ordered) to extend the deadline for his response to the motions for summary judgment for thirty  
8 days. The reason for the stipulation was that Plaintiff's counsel had numerous other case  
9 deadlines and two scheduled eye surgeries. ECF No. 24.

10          On August 16, 2017 the Court stayed the proceedings in this case because Plaintiff's  
11 counsel's "physical condition materially impaired" his ability to represent Plaintiff and Plaintiff  
12 requested the stay until Plaintiff's counsel could associate with another attorney. ECF No. 27.

13          Plaintiff's Counsel eventually moved to withdraw from representing Plaintiff because of  
14 his medical issues, and on Oct. 4, 2017, the Court granted the motion. ECF No. 31. At the  
15 hearing for the motion, Attorney Rusty Graf appeared and requested that the case be stayed while  
16 he looked into the possibility of his firm representing Plaintiff. The Court granted the request and  
17 extended the stay until November 17, 2017.

18          **2. ACTION REQUIRED TO BE TAKEN BY THE COURT:**

19          The Parties hereby request the Court to extend the Stay until and including **December 15,**  
20 **2017.** This request is being made as the proposed counsel for Plaintiff, Rusty Graf, Eq., of the  
21 law firm of Black & LoBello, was unable to associate as counsel due to a conflict in  
22 representation.

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1           The Parties further agree that any oppositions to the Defendants' Motions for Summary  
2 Judgment shall be filed with the Court whether or not Plaintiff has obtained counsel, on or before  
3 **January 5, 2018.**

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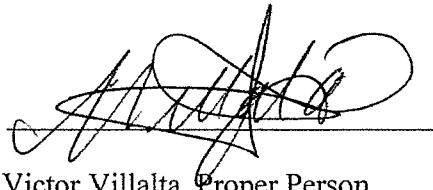
5 Submitted by:

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7 DATED this 5th of December, 2017.      DATED this 5th of December, 2017.

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10 By: 

11 Victor Villalta, Proper Person

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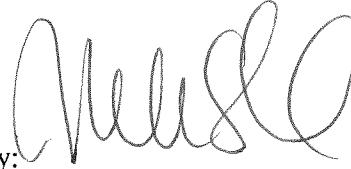
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By: 

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Attorneys for Defendants

It is so Ordered.

DATED this 6th day of December, 2017

By: 

UNITED STATES MAGISTRATE JUDGE